



ENG

ETHIOPIA

Ethiopia has for some time been condemned by organisations for the defence of press freedom as the biggest prison on the African continent for journalists. On 1 February 2001, seven journalists were behind bars in the country. Four had been there since 1997. Some were convicted of press offences; others for "taking part in terrorist activities". The increasing number of journalists being prosecuted, and the confusion surrounding the cases - sometimes even the journalists' lawyers are not aware of all the charges against their clients - makes any investigation very difficult. Nobody knows exactly who is in jail and how long they have been there. Journalists often do not know the names of their imprisoned colleagues. Similarly, justice ministry officials do not always know why journalists have been imprisoned. Many Ethiopian journalists have cases pending against them and may therefore be arrested at any time.

More than eighty titles

About 50 privately owned newspapers publishing general news, most of them weeklies, are available from Addis Ababa newsstands. Almost all these titles are in the Amharic language. Ten or so political and financial weeklies are published in English. *Menelik* is the largest-circulation newspaper, with 16,000 copies sold weekly. Most publications have a circulation of between 2,000 and 6,000. The Ethiopian Free Journalists' Association (EFJA), started in 1993 for journalists from the private press, won official recognition on 13 March 2000. The government publishes four newspapers: two dailies, in Amharic and English, and two weeklies, in Oromo and Arabic. Four of the 9 regions in Ethiopia's federal system have their own publications. There is also an official news agency, the *Ethiopian News Agency*. The broadcasting sector is entirely controlled by the state.

Seven journalists in jail

Tamrat Gemed (Seife Nebelbal)

In October 1997 Tamrat Gemed, editor in chief of the weekly *Seife Nebelbal*, was arrested in Addis Ababa along with 105 other people of Oromo origin. They were taken to Nazret prison, 100 kilometres east of the capital. All were freed few months later, except for Tamrat Gemed, who was moved to Kerchiele central jail, Addis Ababa. He was accused over several articles published in *Seife Nebelbal*. In one, a reporter claimed that a pro-government militia had gone to Chomo-Dabos (Oromia State - West of the country), where it had suffered heavy losses in clashes with another armed group, which was not named. The weekly said the militia leader had died in the fighting, and even specified where he was buried.

In March 2000 Tamrat Gemed was sentenced to a year in jail for publishing "false information". He had already served his sentence, but is still in jail because numerous other charges are pending against him. The court chairman has refused him bail, claiming that in 1997 he had gone into hiding when he was supposed to turn up for a hearing. In fact, he was being held in Nazret jail. Tamrat Gemed has written to the authorities asking for confirmation that he had been imprisoned at the time of the hearing. The Addis Ababa criminal investigation department claims to have provided this, but the court says it has received no such confirmation.

Tesfaye Deressa, Garuma Bekele and Solomon Nemera (*Urji*)

On 16 October 1997 Garuma Bekele, publishing manager of *Urji*, and Tesfaye Deressa, the newspaper's editor, were arrested in Addis Ababa. A few days earlier, *Urji* had published a report contradicting an official statement that three men killed by security forces on 8 October

were members of the Oromo Liberation Front (OLF) and had been involved in attacks carried out by the front. The weekly said that the three men were indeed but did not belong to the OLF. Garuma Bekele was also secretary of the underground Human Rights League, which defends the Oromo cause. The day after the arrests, Solomon Nemera, a reporter with *Urji*, was appointed editor. Three weeks later he too was arrested by the police. *Urji* was forced to stop publishing and has not appeared since. The three journalists, who have been accused of "inventing and publishing false information", are being held at Kerchiele jail. In autumn 1999 Garuma Bekele and Tesfaye Deressa were sentenced to a year in prison. In February 2000 Solomon Nemera was given the same sentence. All three have now been behind bars for over three years and have therefore more than served their sentences. However, they cannot be released because they are also charged, along with 49 other people, with "belonging to terrorist movements" under article 252 of the penal code, an offence for which bail is not allowed. They face 15 years in prison if found guilty. The trial is held behind closed doors and their families are banned from attending. Their lawyer has been denied visit permits and his clients prevented from talking in Oromo. No sentence has been pronounced so far.

The three other journalists currently in jail, have been arrested in 2000. They are Tewodros Kassa and Melese Shine, from Ethiop and Zegeye Haile from Genanaw.

Journalists at risk of arrest

The system of paying bail to the courts has enabled many journalists to remain free and continue with their work while awaiting trial. On the other hand, the slowness with which cases are brought to court and the ever-increasing number of complaints filed means that a large proportion of editors and publishing managers of privately owned newspapers published in Amharic are currently on bail, and may therefore be arrested, sentenced and jailed at any time. Many find the situation hard to take. Although most claim it has not changed the way they write, some admit that they have left the private press and joined state-run newspapers as a result of the pressure. Since 1991 and the arrival in power of the Ethiopian People's Revolutionary Democratic Front (EPRDF), more than 160 journalists have been locked up at some time or other.

Tsegaye Ayalew, editor of the weekly *Genanaw*, has been arrested four times between 1995 and 2000. He is currently on bail, but still faces libel charges over six articles published in his newspaper. One of them was a report about two small children killed when they touched an electric cable attached to a pole that had fallen in a street in the capital. *Genanaw* accused the Ethiopian Light and Power Corporation (a public company) of "pure negligence". The pole remained on the ground for several days before the board intervened.

Other journalists, anxious to protect their families and not go back to jail, have decided to leave the country. About 15 have fled Ethiopia in recent years, and all have obtained political refugee status in Europe or North America. Dawit Kebede, editor of the weekly *Fiameta*, left Ethiopia in January 2000. Twelve different cases were pending against him at Addis Ababa courts.

A repressive legal framework

Like most African countries, Ethiopia maintains prison sentences for press offences such as "libel" and "publishing false information" in its legislation. In addition to the press law, the authorities can use some sections of the penal code to pass even heavier penalties against journalists.

Nonetheless, article 29 of the Ethiopian constitution guarantees press freedom, stating that it includes "the freedom to seek, receive and impart information and ideas of all kinds". The constitution adds that "media financed or controlled by the state must respect diversity in the expression of opinions".

The press law sets out a general framework for the practice of the profession of journalist. Anyone found guilty of libelling a person or company may be sentenced to three years' imprisonment. Other penalties are taken from the penal code, which dates from 1957 and provides for jail terms of up to ten years for anyone convicted of "damaging state security", "incitement to war" or "revealing state secrets". Article 269 includes similar sentences for anyone convicted of publishing information "liable to demoralise public opinion". Other, less severe penalties, such as suspended sentences and fines, are stipulated in cases of libelling or insulting individuals.

In June 1999 parliament adopted broadcasting law 178/1999, under which privately run television channels and radio stations may be started, but the office in charge of the attribution of frequencies to private operators has not been set yet by the government. Broadcasters who fail to respect certain terms of the law concerning licences, advertising regulations and so on are liable to be sent to prison. The broadcasting law refers to the press law for offences such as libel.

Harsh prison conditions

Detention conditions are worrying. A journalist reported that at Kerchiele prison he was not allowed to receive letters written in English nor to have a pencil and paper. Cells are overcrowded and prisoners only had access to the toilets twice a day. Visits are restricted. Some prisoners are ill-treated in prison.

Conclusions

The authorities must share responsibility for the state of press freedom in Ethiopia. In most cases that come before the courts, journalists are jailed as a result of complaints filed by state officials or high-ranking civil servants. But it is also true that some journalists fail to respect professional standards. Many ill-informed and defamatory articles can be found in the press. The authorities take advantage of the situation to denigrate the "private press" as a whole. Although fewer journalists are now in jail, Ethiopia is still Africa's biggest prison for the profession.
